

Mail Stop: *Amendment*  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



1FW

Docket No.: 5005.1078  
 Date: September 24, 2004

In re application of: **Albrecht WEISS et al.**  
 Serial No.: 10/840,133  
 Filed: 05/06/2004  
 For: **MICROSCOPE AND MICROSCOPY METHOD FOR PRODUCING OVERLAY IMAGES**

Sir:

Transmitted herewith is a **Supplemental Information Disclosure Statement (2 pages)** with PTO-1449 (1 page) and cited references in the above-identified application.

- [ ] Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
 [ ] Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
 [X] No fee for additional claims is required.  
 [ ] A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20	=	0	x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$ 43	\$		x \$ 86	\$
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$145	\$		+ \$290	\$
TOTAL:				\$		OR	TOTAL:	\$

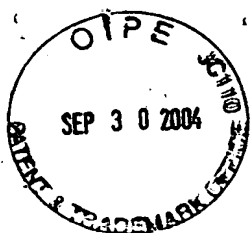
- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- [ ] Also transmitted herewith are:  
 [ ] Petition for extension under 37 C.F.R. 1.136  
 [ ] Other:
- [ ] Check(s) in the amount of \$0.00 is/are attached to cover:  
 [ ] Filing fee for additional claims under 37 C.F.R. 1.16  
 [ ] Petition fee for extension under 37 C.F.R. 1.136  
 [ ] Other:
- [X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- [X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- [X] Any patent application processing fees under 37 C.F.R. 1.17.
- [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

*Erik R. Swanson*  
 Erik R. Swanson, Reg. No. 40,833  
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on September 28, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *Oliver Platz*  
 Oliver Platz



5005.1078

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Re: Application of: Albrecht WEISS et al.**

**Serial No.: 10/840,133 Confirmation No.: 7239**

**Filed: 05/06/2004**

**For: MICROSCOPE AND MICROSCOPY METHOD FOR  
PRODUCING OVERLAY IMAGES**

**Examiner: (Not yet known)**

**Art Unit: 2872**

**Customer No.: 23280**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 24, 2004

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

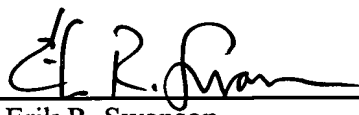
Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449 (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully Submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
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FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
5005.1078APPLICATION NO  
10/840,133

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT  
Albrecht WEISS et al.FILING DATE  
05/06/2004GROUP  
2872

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A01						
	A02						
	A03						
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A10	0510329	Oct. 28, 1992	EP-Europe			in English	
	A11	3542218	July 3, 1986	DE-Germany			see Abstract	
	A12							
	A13							
	A14							
	A15							
	A16							
	A17							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	A18	
	A19	
	A20	
	A21	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.